SINGLE BENCH (1) 5

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 3669 OF 2005

PETITIONER : Ku.Neelima Parmar, D/o Smt. C.Parmar , aged about 32 years resident of P.O.Lormi ,behind Gurdwara, Tahsil Lormi, District Bilaspur (CG).

P.R. No. 3275/05 Presented By Shailendra Soni dated 31/8/05

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Secretary Department of Health Services, D.K.S. Building Raipur (C.G.)

2. The Director , Directorate of Health Services, Raipur, Tahsil and District Raipur (CG).

WRIT PETITION U/S 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 3669/05

मामला क्रमांक ..... सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12-1-2006

Shri Shailendra Soni, counsel for the petitioner.

Shri S.P. Kale, Govt. Advocate, for the respondents.

Heard.

By this petition under Article 226/227 of the Constitution of India the petitioner is praying for the relief to issue an appointment order in her favour.

Brief facts of the case are that the petitioner was appointed as Staff Nurse vide order dated 28/11/1995 (Annexure-P/6) issued by the Joint Director, Health Services, Bhopal. Her name was at serial No.13. As per the appointment order, she had to join at Harijan Basti Dispensary, Khilchipur, District Raigarh within ten days of receiving of the order. The petitioner did not join the services and moved an application for change of place of posting. However, the application of the petitioner was considered and the order (Annex.P/6) was modified by order dated 5/3/1997 (Annexure-P/7) and her services were allotted to the Joint Director, Health Services, Bilaspur Division with a direction that if the petitioner has already joined her services in compliance of earlier order, this order shall stand cancelled automatically. Thereafter, the petitioner did not join the services and it is just on 6/6/2005 she submitted the representation (Annexure-P/9) before the Secretary, Health Services and on 3/8/2005 she filed the instant writ petition.

On perusal of the record, it appears that the appointment order of petitioner dated 28/11/1995 was modified by order dated 5/3/1997 and thereafter she did not join the services. It is only on 6/6/2005 she

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आदेश पत्रक

मामला क्रमांक WP 3669/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
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submitted the representation before the Secretary, Health Services. During this period of more than 8 years, nothing has been done by the petitioner and she kept quiet.

Having considered the facts and circumstances of the case and material on record, not a case for issuance of any writ or order by this Court while exercising the extraordinary writ jurisdiction under Article 226/227 of the Constitution of India.

At this stage, learned counsel for the petitioner prays that the petitioner may be allowed, to submit a representation before the competent authorities of the respondents.

It is open to the petitioner to submit a representation before the competent authorities of the respondents and if such a representation is filed, the same shall be considered and decided on its own merits in accordance with law.

With the aforesaid observations, this petition stands disposed of.

Sd/-
Fakhruddin
Judge